

23026 U.S. PTO

UTILITY  
PATENT APPLICATION  
TRANSMITTAL(Only for new non-provisional  
applications under 37 CFR 1.53(b))

Title of Invention

Tetraphosphonate Bicyclic Trisanhydrides

Named Inventor(s)

Krzysztof W. Pankiewicz, Krystyna Lesiak and  
Kyoichi A. Watanabe

Attorney Docket

08841.105019 CON 2

Express Mail Label No.

EV 330778171 US

22387 U.S. PTO  
10/812214

032904

## APPLICATION ELEMENTS

Commissioner for Patents

ADDRESS TO: Mail Stop Patent Application  
P. O. Box 1450  
Alexandria, VA 22313-1450

## ACCOMPANYING APPLICATION PARTS

1. ☒ Fee Transmittal Form  
(Submit an original, and a duplicate for fee processing)
2. ☒ Applicant claims small entity status. See 37 CFR 1.27.
3. ☒ Specification, Claims,  
and Abstract Total Pages **139**
4. ☐ Drawings Total Sheets
5. Oath or Declaration Total Pages
- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 17  
completed)
- (i) ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting  
inventor(s) named in the prior  
application, see 37 CFR 1.63(d)(2)  
and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76.
7. ☐ CD-ROM or CD-R in duplicate, large table or  
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence  
Submission (if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ paper
- c. ☐ Statement verifying identity of above  
copies

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement  
(when there is an assignee)  
☐ Power of Attorney by  
assignee
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)  
PTO-1449  
☐ Copies of IDS
- Citations
13. ☒ Preliminary Amendment 3 pp.
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
16. ☒ Other: Request for Filing a Continuation  
Application Under 37 CFR § 1.53(b) 2 pp.

17. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information:☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: 10/008,572

Prior application information: Examiner: Howard Owens Group/Art Unit: 1625

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as being part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS:

Sherry M. Knowles  
45<sup>th</sup> Floor  
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Atlanta, Georgia 30303By: Sherry Knowles Reg. No. 33,052  
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Customer No. 20786

Continuation of U.S. Application No. 10/008,572  
Continuation Transmittal dated March 29, 2004

# **FEE TRANSMITTAL**

This sheet accompanies a patent application transmittal for the following application:

Inventor(s): Pankiewicz et al.

Filing Date: March 29, 2004

Title: Tetraphosphonate Bicyclic Trisanhydrides

The filing fee is calculated as shown below:

## 1. **FILING FEE:**

FOR:	SMALL ENTITY		LARGE ENTITY	
	FEE	FEE PAID	FEE	FEE PAID
<input checked="" type="checkbox"/> UTILITY FILING FEE	\$385.00	<b>\$385.00</b>	\$750.00	
<input type="checkbox"/> DESIGN FILING FEE	\$165.00		\$330.00	
<input type="checkbox"/> PLANT FILING FEE	\$255.00		\$510.00	
<input type="checkbox"/> REISSUE FILING FEE	\$370.00		\$740.00	
<input type="checkbox"/> PROVISIONAL FILING FEE	\$80.00		\$160.00	
<b>SUBTOTAL (1)</b>		<b>\$385.00</b>		

## 2. **CLAIMS:**

FOR:	SMALL ENTITY			LARGE ENTITY		
	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS	26 - 20 =	6	6x \$9 =	<b>\$54.00</b>	x \$18 =	
INDEP. CLAIMS	6 - 3 =	3	3x \$42 =	<b>\$126.00</b>	x \$84 =	
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED			+\$140 =		+ \$280 =	
<b>SUBTOTAL (2)</b>				<b>\$180.00</b>		<b>\$</b>

## 3. **ADDITIONAL FEES:**

FOR:	SMALL ENTITY		LARGE ENTITY	
	FEE	FEE PAID	FEE	FEE PAID
<input type="checkbox"/> LATE FILING, FEE OR OATH				
<input type="checkbox"/> NON-ENGLISH SPECIFICATION				
<input type="checkbox"/> OTHER				
<b>SUBTOTAL (3)</b>				

**TOTAL FILING FEES: \$ \$565.00**

A check is enclosed for the amount: \$

☒ Charge any additional fees required under 37 C.F.R. 1.16 or 1.17 to Deposit Account 11-0980.

KING & SPALDING LLP

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Atlanta, Georgia 30303

Telephone: 404.572.3541

By: Sherry M. Knowles Date: March 29, 2004

Sherry M. Knowles, Attorney for Applicant Reg. No. 33,052

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : Continuation of U.S. Application No. 10/008,572  
Applicant : Pankiewicz, *et al.*  
Filed : Herewith  
Title : Tetraphosphonate Bicyclic Trisanhydrides

TC/AU : Unassigned (1625)  
Examiner : Unassigned (Ba K. Trinh)

Docket No. : 08841.105019 CON 2  
Customer No. : 20786

Commissioner for Patents  
Mail Stop Patent Application  
P.O. Box 1450  
Alexandria, VA 22313-1450

March 29, 2004

**REQUEST FOR FILING A CONTINUATION APPLICATION UNDER 37 CFR § 1.53(b)**

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Sir:

This is a request by Krzysztof W. Pankiewicz, Krystyna Lesiak and Kyoichi A. Watanabe for filing a Continuation Application under 37 C.F.R. § 1.53(b) of pending prior application U.S. Serial No. 10/008,572, filed on November 13, 2001, now allowed.

Enclosed is a copy of the prior application U.S.S.N. 10/008,572 as originally filed. The application includes 139 pages of specification, claims, and abstract, and no formal drawings. I hereby verify that the attached papers are a true copy of what is shown in my records to be the above-identified prior application.

Krzysztof W. Pankiewicz and Kyoichi A. Watanabe have assigned their interest in the application to Codon Pharmaceuticals, Inc., recorded at Reel 8776, Frame 0007 on October 10,

CERTIFICATE OF MAILING (37 CFR § 1.8a)

I hereby certify that this Request for filing a Continuation Application, Transmittal of Utility Patent Application, Utility Patent Application, and Fee Transmittal, along with any documents referred to as attached therein are being deposited with the United States Postal Service in an envelope as "Express Mail Post Office to Addresses" services under 37 CFR 1.10, Mailing Label Number EV 330778171 US addressed to Mail Stop PATENT APPLICATION; Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

3-29/04  
Date

  
Susanne Hollinger

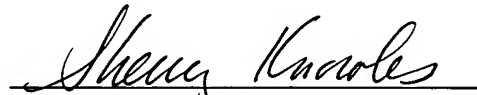
Continuation of U.S. Application No. 10/008,572  
Continuation Transmittal dated March 29, 2004

1997. Codon Pharmaceuticals, Inc. assigned all their rights in the present application to Pharmasset, Ltd., recorded at Reel 9716, Frame 0994 on April 21, 1999. A copy of the recorded assignments is enclosed. Also enclosed are copies of the executed Declarations for Patent Application and Powers of Attorney.

A Preliminary Amendment is enclosed. Applicants request entry of the Preliminary Amendment prior to fee calculation.

Applicants enclose a fee transmittal and a check for \$565.00 for the filing fee. The Assistant Commissioner for Patents is authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 11-0980.

Respectfully submitted,

  
Sherry M. Knowles  
Reg. No. 33,052

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**CERTIFICATE OF MAILING UNDER 37 CFR § 1.10**  
**FOR UTILITY PATENT APPLICATION FILING**

I hereby certify that this Request for filing a Continuation Application, Transmittal of Utility Patent Application, Utility Patent Application, and Fee Transmittal and Preliminary Amendment, along with any documents referred to as attached therein are being deposited with the United States Postal Service in an envelope as "Express Mail Post Office to Addresses" services under 37 CFR 1.10, Mailing Label Number EV 330778171 US addressed to Mail Stop PATENT APPLICATION; Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

  
Susanne Hollinger

Date: March 29, 2004